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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------------|
| 09/873,061 | 05/31/2001 | Dean Tan | 50277-1510 | 4009 |
| 42425 7590 12/13/2007 HICKMAN PALERMO TRUONG & BECKER/ORACLE 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110-1083 | | | EXAMINER CABUCOS, MARIE G | |
| | | | ART UNIT 2163 | PAPER NUMBER |
| | | | MAIL DATE 12/13/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/873,061

Applicant(s)

TAN ET AL.

Examiner

Marie Antoinette Cabucos

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 54-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 54-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 8/20/2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 54-58 are rejected under 35 U.S.C. 102(e) as being anticipated by

Underwood et al (US Patent no. 7,152,207).

4. Regarding claim 54, Underwood discloses in figures 1 and 2 a method for building a customized web site, wherein the method comprises performing a machine-executed operation involving instructions, wherein the machine-executed operation is at

least one of: A) sending said instructions over transmission media (125); B) receiving said instructions over transmission media (105); C) storing said instructions onto a machine-readable storage medium (figure 2, Definer software); and D) executing the instructions; wherein the instructions are instructions which, when executed by one or more processors, cause storing a web site XML file (col. 49, lines 34-50); wherein the web site XML file is an XML document that specifies the structure of a multi-page web site; wherein the web site XML file specifies (a) relationships between web pages of the multi-page web site, and (b) the structure and content of the pages of the multi-page web site (col. 5, lines 15-36); storing XML definitions for a plurality of components that are available for use by the customized web site (site, framework, image, and web provider/definer); presenting a user with a series of one or more user interfaces for modifying the multi-page web site to create the customized web site (figures 12-45, interfaces for editing); wherein the one or more user interfaces include controls for adding one or more components of said plurality of components to the multi-page web site (col. 5, lines 48-58); receiving through the controls user input that adds a particular component of said plurality of components to said multi-page web site (abstract and col. 6, lines 12-26); in response to the user input, adding the XML definition associated with the particular component to the web site XML file to produce a modified web site XML file that defines a multiple-page web site that includes said particular component (col. 47, lines 44-67); and causing a web site building component to automatically build the customized web site based on the modified web site XML file (abstract; col. 9, lines 33-56).

5. Regarding claim 55, Underwood discloses in figures 1 and 2 the method of claim 54, wherein causing the web site building component to automatically build the customized web site includes: causing the web site building component to create a database for storing the customized web site (col. 6, lines 27-40).

6. Regarding claim 56, Underwood discloses in figures 1 and 2 the method of claim 54, wherein execution of the instructions further cause creating an extensible stylesheet language transformation (XSLT) document for forming a web page (col. 49, lines 34-50); and presenting the user with a series of one or more web pages based on the web site XML file and the XSLT document (col. 47, lines 25-52; col. 48, lines 42-67).

7. Regarding claim 57, Underwood discloses in figures 1 and 2 (also refer to col. 12, line 63 to col. 13, line 6 and col. 11, lines 11-43) the method of claim 54, wherein a particular component, of the plurality of components, is dynamically generated at a different computer (125) than a computer storing the web site XML file (105).

8. Regarding claim 58, Underwood discloses in figures 1 and 2 the method of claim 54, wherein a particular user interface, of the one or more user interfaces, includes a link to another web site for generating the particular component (col. 15, line 22 to col. 16, line 42).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art of record to Daugherty et al (US Patent no. 6,345,292) discloses a web rendering architecture.

Prior art of record to Baxter et al (US Patent no. 6,356,903) discloses a content management system.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie Antoinette Cabucos whose telephone number is 571-272-8582. The examiner can normally be reached on 8:30-5:00.

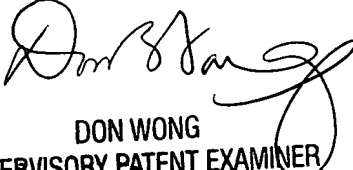
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marie Antoinette Cabucos
Examiner
Art Unit 2163


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100